

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) CIV-13-132-D
)
)
\$29,410.00 IN UNITED STATES)
CURRENCY, more or less,)
)
)
Defendant.)

DEFAULT JUDGMENT AND ORDER OF FORFEITURE

Before the Court is Plaintiff's Motion for Default Judgment and Order of Forfeiture and Brief in Support [Doc. No. 33]. The Court finds:

That on February 5, 2013, the plaintiff, United States of America, filed its Verified Complaint for Forfeiture *In Rem* [Doc. No. 1] against the defendant currency.

That copies of the Verified Complaint and other pertinent documents were sent and received by certified mail on February 14, 2013, to Walter Kevin Moore, III, a/k/a Walter John Moore, III via his attorney, Bruce Carsia. Walter Kevin Moore, III, a/k/a Walter John Moore, III filed a claim *pro se*.

That notice of this action was posted on an official government internet site (www.forfeiture.gov) for at least thirty consecutive days, beginning on February 7, 2013, and ending on March 8, 2013, as referenced in the Declaration of Publication [Doc. No. 9].

That no infant or incompetent persons were entitled to receive service in this matter.

That on February 4, 2014, the Court ordered stricken from the action the claim of Walter Kevin Moore, III, a/k/a Walter John Moore, III for his failure to file an Answer to the Verified Complaint as required by Rule G(5)(b), and for failure to respond to the Government's special interrogatories. *See Order* [Doc. No. 18].

That on March 27, 2014, there being no claimants remaining before the Court, a Clerk's Entry of Default [Doc. No. 32] was entered defaulting all persons for their failure to defend their interest in the defendant property.

Accordingly, the Court, finding no claimants remaining, and the Clerk's Certificate having been properly entered:

(1) GRANTS the plaintiff's Motion for Default Judgment [Doc. No. 33], having determined that the plaintiff has established by a preponderance of the evidence that the defendant *res* is subject to forfeiture.

(2) hereby FORFEITS the defendant *res* to the United States of America and CONFIRMS the vesting in the plaintiff of said *res*:

(3) forever EXTINGUISHES any right, title or interest anyone may have had in the defendant *res*: and

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the right, title and interest to the defendant, \$29,410.00 in U.S. currency, is hereby condemned, forfeited and vested in the United States of America, free and clear of the claims of any person, and shall be disposed of according to law. The Court ORDERS that judgment should be, and is hereby, entered in favor of plaintiff United States of America.

That upon entry of this order, the United States Marshals Service or other appropriate governmental agency is directed to deliver the above-described property to the United States of America for disposition according to law.

IT IS SO ORDERED this 21st day of April, 2014.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE